K 1946

File No. Livestock Improvement II/46
Legal Department
B BRANCH

Subject:—Rules and Notifications under Bombay Livestock Improvement Act, 1933.

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File No. Livestock Improvement II/46

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Office of the R.L.A.

In this case an application for extending the provisions of the Bombay Live-stock Improvement Act, 1933, to certain villages has been made by the Agricultural Commissioner. Clause (b) of section 2 of the Bombay Live-stock Improvement Act, 1933, provides that on a written application made -

(i) by the district local board with the previous concurrence of the Director of Agriculture, or

(ii) by the ~~Dir~~ Director of Agriculture with the previous concurrence of the district local board,

the Provincial Government may, by notification in the Official Gazette, direct that the remaining provisions of the Act shall extend to any village in respect of which the application has been made. Under section 3(2), the expression "Director of Agriculture" has been defined to mean the officer appointed for the time being to be the Director of Agriculture. Unless therefore an application is made by the Director of Agriculture with the previous concurrence of the district local board concerned the requirements of section 2(1) of the Act cannot be said to have been satisfied. For the issue of a valid notification the requirements of section 2(1) must be satisfied.

for Remembrancer of Legal Affairs.

U.O. to R.C.O., No. 5866, dated the 24th August, 1946.

SSM 16/7/56.

Livestock Improvement Act, 1933.
Extension of provisions of ---
to certain parts of Bombay Province.

GOVERNMENT OF BOMBAY.

Reconstruction epartment.
Resolution No. 818/33.
Bombay Castle, 2nd November 1946.

Letter from the Agricultural Commissioner, No. 422 (Cmr)/1827, dated the 1st July 1946.

Memorandum from the Director of Agriculture, No. 422/295, dated the 7th October 1946.

Resolution:- The Agricultural Commissioner's proposals for the extension of the provisions of the Bombay Livestock Improvement Act, 1933, to the villages in the Chopda taluka of the East-Khandesh district specified below and for the appointment of the Agricultural Officer in charge Cattle Breeding, Jalgaon, as Livestock Officer under section 4 of the Act, are approved:-

(1) Chahardi.
(2) Borajanti.
(3) Varhad.
(4) Vaijapur.
(5) Virawadi.
(6) Malapur.
(7) Ganpur.

2. The requisite notifications under Section 2(b) and (c) and Section 4 of the Act should be published in the Bombay Government Gazette.

By order of the Governor of Bombay,

W.J. Jenkins,
Additional Secretary to Government.

SSM / 16/7/56.

Office of the R.L.

Draft notification II at page 5, as amended, is in order.

2. Regarding draft notification I at page 13, Under section 2(b)(ii) of the Bombay Live-Stock Improvement Act, 1933(Bom. XIII of 1933) a written application made by the Director of Agriculture with the pevious concurrence of the District Local Board is a condition procedent to the exercise of the power of the Provincial Government to direct by notification that the provisions of the Act other than sections 1 and 2 shall extend to any village in respect of which the application has been made. In the present case, the application has been made not by the Director of Agriculture but by the Agricultural Commissioner and approved by the Director of Agriculture. This does not comply with the requirements of section 2(b)(ii) of the Act and the draft notification is not in order.

Remembrancer of Legal Affairs.

U.R. to R.C.D., No. 8518, dated the 28th November, 1946.

SSH / 16/7/56.